

Appl. No. 09/910,281
Atty. Docket No. CM2492
Amtd. dated January 30, 2006
Reply to Office Action of August 29, 2005
Customer No. 27752

REMARKS

Claim Status

Claims 51, 53, 54, 56-59, 61, 62, 64-68, 72-74, 76-82 and 84-91 are pending in the present application. No additional claims fee is believed to be due.

Claims 1-50, 52, 55, 60, 63, 69-71, 75 and 83 are canceled without prejudice.

Claims 51, 61, 64, 72 and 73 have been amended. Claims 61 and 64 have been amend dependency as they originally were dependent upon now canceled claims. Claims 72 and 73 were amended to clarify the described weight percentage as that being of the solvent system rather than the composition. Support for the amendment can be found on page 9 of the specification.

Claim 51 has been amended to require bleaching agents selected from the group consisting of from about 1% to about 40% by weight of the composition of inorganic perhydrate salts; from 0.5% to 25% by weight of the composition preformed organic peroxyacids and mixtures thereof; from 0.5% to 25% by weight of the composition of organic peroxyacid bleach precursors and/or transition metal-containing bleach catalysts. Support for the amendment can be found on page 24, lines 1-24.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §112, Second Paragraph

The Office Action States Claims 51-54, 56-58 and 72-91 are rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Particularly the levels of the organic solvent system.

Applicants have amended Claim 51 to clarify the desired components of the solvent system and their respective weight percentages. As such, Applicants request that the rejection under 35 USC §112, second paragraph be withdrawn.

Priority

Page 7 of 9

Appl. No. 09/910,281
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Applicants thank the Examiner for recognizing that Applicants appear to have previously submitted the certified priority documents as required by 37 CFR 1.55. However, priority continues to be denied. Applicants respectfully request clarification under which rule or regulation Applicants are required to re-submit received and cataloged priority documents in order to perfect the claimed priority.

Rejection Under 35 USC §103(a) Over JP 60-141800

Claims 51-54, 56-68, 72-85 and 87 have been rejected under 35 USC §103(a) as being unpatentable over JP 60-141800. Please find enclosed an English translation of JP 60-141800. Applicants submit that JP 60-141800 does not teach or suggest a composition such as the claimed invention of the present invention, specifically JP 60-141800 does not teach or suggest the use of bleaching agents. As such, Applicants request that the rejection under 35 USC §103(a) be withdrawn.

Rejection Under 35 USC §103(a) Over JP 2000-044990 in view of JP 60-141800

Claims 51-54, 56-68, 72-85 and 87 have been rejected under 35 USC §103(a) as being unpatentable over JP 2000-044990 in view of JP 60-141800. Please find enclosed an English translation of JP 2000-044990. Applicants submit that neither JP 60-141800 or JP 2000-044990 teach or suggest a composition such as the claimed invention of the present invention, specifically JP 2000-044990 alone or in view of JP 60-141800 does not teach or suggest the use of bleaching agents. As such, Applicants request that the rejection under 35 USC §103(a) be withdrawn.

Rejection Under 35 USC §103(a) Over JP 2000-044990 in view of JP 60-141800 and US 6,001,789

Claims 88-91 have been rejected under 35 USC §103(a) as being unpatentable over JP 2000-044990 in view of JP 60-141800 and US 6,001,789. Applicants submit that neither JP 60-141800, JP 2000-044990 or US 6,001,789 teach or suggest a composition such as the claimed invention of the present invention, specifically JP 2000-044990 alone or in view of JP 60-141800 and US 6,001,789 does not teach or suggest the use of bleaching agents. As such, Applicants request that the rejection under 35 USC §103(a) be withdrawn.

Rejection Under 35 USC §103(a) Over JP 2000-044990 in view of JP 60-141800 and US 5,739,092

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Claim 86 has been rejected under 35 USC §103(a) as being unpatentable over JP 2000-044990 in view of JP 60-141800 and US 5,739,092. Applicants submit that neither JP 60-141800, JP 2000-044990 or US 5,739,092 teach or suggest a composition such as the claimed invention of the present invention, specifically JP 2000-044990 alone or in view of JP 60-141800 and US 5,739,092 does not teach or suggest the use of bleaching agents. As such, Applicants request that the rejection under 35 USC §103(a) be withdrawn.

Double Patenting

The Office Action states that Claims 51-54, 56-68 and 72-91 are provisionally rejected under 35 USC § 101 in view of copending application No. 11/151027.

Applicants have amended the pending claims of the present application as to no longer claim the same invention as that of copending application No. 11/151027. As such Applicants request that the provisional rejection under 35 USC § 101 be withdrawn.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 USC §§112, second paragraph and 103(a). Early and favorable action in the case is respectfully requested. Applicants' attorney invites the Examiner to contact her with any questions or comments regarding the above referenced case.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 51, 53, 54, 56-59, 61, 62, 64-68, 72-74, 76-82 and 84-91 is respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By _____

Signature

Laura R. Grunzinger

Typed or Printed Name

Registration No. 47,616

(513) 627-4597

Date: January 30, 2006
 Customer No. 27752

Page 9 of 9